



Order Filed on December 29, 2016
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2 (c)

Robert C. Nisenson, LLC

10 Auer Court

East Brunswick, New Jersey 08816

(732-238-8777

Robert C. Nisenson, Esq.

Attorneys for Debtor

RCN 6680

In the Matter of

JAMES MASSA

DEBTORS

Case No.:16-28104

Judge: Kathryn C. Ferguson

**AMENDED ORDER TO APPROVE CREDITORS MODIFICATION
AGREEMENT**

The relief set forth on the following pages, numbered two (2) through _____ is hereby **ORDERED**.

DATED: December 29, 2016

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson".

Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

ROBERT C. NISENSON, L.L.C.

10 Auer Court
East Brunswick, New Jersey 08816
(732) 238-8777
Attorneys for Debtors
Robert C. Nisenson, Esq.
Attorney No.: RCN 6680

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re: : Case #: 16-28104 KCF
:
JAMES MASSA : Chapter 13
:
:
:
Debtors. : **ORDER TO APPROVE**
: **MODIFICATION AGREEMENT**
:

This matter having been opened to the Court upon motion of James Massa, by and through their attorneys, **ROBERT C. NISENSON, L.L.C.**, seeking an Order to approve a trial modification with MidFirst Bank and the Debtor appearing by its counsel and the Court having considered all supporting and opposing Affidavits, and Briefs, if any; and good cause appearing for the entry of this Order;

ORDERED the Debtor and MidFirst are authorized to enter into the Trial Period Loan Modification Agreement and it is further;

ORDERED in the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Secured Creditor shall amend the arrearage portion of its proof of claim to the amount paid to date by the Chapter 13 Trustee and any amounts not capitalized in the loan modification or withdraw the claim within thirty (30) days of completion of the loan modification; and it is further

ORDERED, that the Chapter 13 Trustee shall suspend disbursements to Secured Creditor pending completion of loan modification and all money that would otherwise to be paid to Secured Creditor, be held until the arrearage portion of the claim is amended or the claim is withdrawn, or the Trustee is notified by the Secured Creditor that the modification was not consummated; and it is further

ORDERED, in the event the modification is not consummated, the Secured Creditor shall notify the Trustee and Debtor's Attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to Secured Creditor; and it is further

ORDERED, in the event the proof of claim is amended or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan; and it is further

ORDERED, THAT UPON Debtor obtaining a permanent loan modification, Debtor will file a Supplemental Motion to Approve said loan modification and upon approval of the permanent loan modification, Debtor shall file an amended Schedule J and Modified Plan; and it is further.

ORDERED upon finalization of the loan modification, Secured Creditor will amend its claim to reflect the amount paid by the trustee to date, plus any outstanding bankruptcy fees and/or post-petition fees, charges and expenses that were not capitalized into the new principal balance of the loan modification; and it is further

ORDERED that a copy of this Order shall be served upon all parties within ____ days of the date hereof.